



Atty. Dkt. No. 028622-0137

DFW \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Nicholas BARDEN et al.

Title: MEANS AND METHODS FOR DIAGNOSING AND TREATING
AFFECTIVE DISORDERS

Application No. 10/553,298

International 04/16/2004
Filing Date:
371(c) Date: 12/01/2005

Examiner: Michael D. Pak

Art Unit: 1646

Confirmation No. 2147

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

08/27/2009 SMDHAMME 00000023 10553298

01 FC:1006

100.00 0P

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

Document D3 is an Office Action issued on April 15, 2009, in U.S. Patent Application No. 11/749,645 (a related corresponding application of the present application). Documents C1 and C2 were cited in the Office Action. All documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A credit card payment form in the amount of \$180.00 is enclosed to cover the fee associated with an information disclosure statement under 37 CFR §1.97(c).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date

August 25, 2009

FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 672-5483

Facsimile: (202) 672-5399

By

Richard C. Peet

Richard C. Peet

Attorney for Applicant

Registration No. 35,792